

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

RICK D. LEICHTNER,

Petitioner,

v.

CASE NO. 2:09-CV-110

CRIM. NO. 2:07-CR-155

JUDGE GREGORY L. FROST

Magistrate Judge E.A. Preston Deavers

UNITED STATES OF AMERICA,

Respondent.

**OPINION AND ORDER**

On January 10, 2011, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 be dismissed. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The Court has reviewed the *Report and Recommendation* of United States Magistrate Judge Elizabeth Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed thereto and that the time for filing such objections has expired, the Court hereby **ADOPTS** and **AFFIRMS** the *Report and Recommendation* of the Magistrate Judge. It is hereby **ORDERED** that the Petition is **DISMISSED**. The Clerk of Court is **DIRECTED** to terminate this action.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
**GREGORY L. FROST**  
**UNITED STATES DISTRICT JUDGE**